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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/671,667	09/29/2003	Kazuya Kumazawa	Q77598	8277

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SUGHRUE MION, PLLC  
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WASHINGTON, DC 20037

EXAMINER
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JACKSON, BLANE J

ART UNIT	PAPER NUMBER
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2618

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/09/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/671,667

Applicant(s)

KUMAZAWA ET AL.

Examiner

Blane J. Jackson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 November 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,2,4 and 9-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4 and 9-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 27 November 2006 has been entered.

### ***Information Disclosure Statement***

The information disclosure statement filed 27 November 2006 has been received and placed of record in the file.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 9 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. As to claim 9, in view of the Drawings, it is not clear as to the meaning of how the card is "visible in said check opening *only when said card is positioned* in the predetermined position". Correction is required.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 4 and 9-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Haffenden et al. (US 6,226,189) in view of Haga et al. (US 6,947,767).

As to claim 1, Haffenden teaches a card holding structure comprising:

A card insertion port provided in a battery holding concave portion of an internal housing (figures 3-6, column 4, lines 5-17, card inserted into internal housing (32) at loading region (33) and column 4, lines 46-51, space is covered by a battery (41) of mobile telephone, column 4, lines 41-45),

Said internal housing comprising a slope which is provided near the card insertion port to guide the insertion of a card into the internal housing (figure 4, column 4, lines 18-33, guide ramp (39) in loading region (33)),

A card connector for holding the card (figure 6, column 4, lines 13-40, the mobile phone housing is provided with a SIM card housing (32)).

Haffenden teaches pips (37), located on the card supporting surface in the loading region, at the end of the loading ramp, hold the SIM card in a predetermined position, figure 6, column 4, lines 34-40, but does not teach one end of the slope has an edge for abutting the card.

Haga teaches a method to insert a SIM card, slid and fitted to a card connector fixed in a card-fitting recessed portion provided inside a reverse surface-side housing of a portable terminal apparatus, figures 1, 5 and 6 and Abstract. Haga discloses the front end of the card (31) is adjusted to a position close to rear ends of the holding portions (13) and a rear portion of the card is pressed toward the bottom surface of the card-fitting recessed portion (3) against the resiliency of a housing side stopper (7), figures 5 and 6. Haga explains the stopper (7) or resilient tab, is deflected downwards as the card is slid over the stopper towards the predetermined position or reading position, then the stopper is deflected upward, due to its resiliency around its rear end (7b), as the card is slid past such that the front edge (7c) of stopper (7) abuts and holds the rear edge of the SIM card when the card reaches the final predetermined position, figures 5 and 6, column 4, lines 20-50. In short, Haga teaches a card holding structure comprising a spring tab to engage and hold the rear of the SIM card just as the SIM card is slid into the reading position, figures 1 and 6.

Since Haga, like Haffenden, teaches a method to position and hold a SIM card in the reading position within a wireless terminal, it would have been obvious to one skilled in the art at the time of the invention to exchange the pips used in the card holding structure of Haffenden for the resilient stopper of Haga to better position and hold a SIM card in a wireless terminal.

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As to claim 2, Haffenden teaches the internal housing is provided with a holding rib for inserting the card to the predetermined position (SIM card housing (32) includes transverse wall (43), column 4, lines 34-37).

As to claim 4 with respect to claim 1 or 2, Haffenden teaches the internal housing which covers the card connector has a check opening (figure 5, column 4, lines 11-17, the card is visible when positioned in a reading region (34)).

As to claim 9 with respect to claim 9, Haffenden teaches the card is visible in said check opening only when said card is positioned in the predetermined position in said internal housing (figure 5, the card is visible in the reading position).

As to claim 10 with respect to claim 1, Haffenden teaches wherein said internal housing is provided with at least one protrusion retaining said card in said predetermined position (figures 5 and 6, column 4, lines 25-33, the data card housing includes side walls provided with guide grooves (36) and protrusions- shown, not identified - about the reading region (34) to retain the card on position).

As to claim 11 with respect to claim 10, Haffenden teaches the at least one protrusion is located substantially over a card connector (figure 5, column 4, lines 25-33, the data card housing includes side walls provided with guide grooves (36) and

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protrusions- shown, not identified - about the reading region (34) to retain the card on position).

As to claim 12 with respect to claim 11, Haffenden teaches the card is pressed against said card connector by the at least one protrusion (figures 5 and 6, the card is retained or pressed on the top surface in four places as shown in the figures).

As to claim 13 with respect to claim 1, Haffenden teaches the internal housing is provided with a card receiving portion limiting movement of said card in a specified direction the card within the internal housing (figures 5 and 6, column 4, lines 13-40, for example, the transverse wall of the SIM card housing prevents the card from overshooting the reading position in the longitudinal direction).

As to claim 14, Haffenden teaches a card holding structure comprising:

A card insertion port provided in a battery holding concave portion of an internal housing (figures 3-6, column 4, lines 5-17, card inserted into internal housing (32) at loading region (33) and column 4, lines 46-51, space is covered by a battery (41) of mobile telephone, column 4, lines 41-45),

A slope part which is provided near said card insertion port to guide the insertion of a card into said internal housing (figures 3-6, column 4, lines 18-24, support surface in the loading region is sloped towards the reading region to act as a guide ramp (39) for the card (40),

A card connector for holding said card (figure 6, column 4, lines 13-40, the mobile phone housing is provided with a SIM card housing (32)).

Haffenden teaches a stopper part or pips (37), located in said slope part, figure 6, column 4, lines 34-40, but does not teach the stopper part is ductile so as to conform to the slope of the slope part when pressure is applied.

Haga teaches a method to insert a SIM card, slid in and fitted to a card connector fixed in a card-fitting recessed portion provided inside a reverse surface-side housing of a portable terminal apparatus, figures 1, 5 and 6 and Abstract. Haga discloses the front end of the card (31) is adjusted to a position close to rear ends of the holding portions (13) and a rear portion of the card is pressed toward the bottom surface of the card-fitting recessed portion (3) against the resiliency of a housing side stopper (7), figures 5 and 6. Haga explains the stopper (7) or resilient tab, is deflected downwards as the card is slid over the stopper towards the predetermined position or reading position, then the stopper is deflected upward, due to its resiliency around its rear end (7b), as the card is slid past such that the front edge (7c) of stopper (7) abuts and holds the rear edge of the SIM card when the card reaches the final predetermined position, figures 5 and 6, column 4, lines 20-50. In short, Haga teaches a card holding structure comprising a spring tab to engage and hold the rear of the SIM card just as the SIM card is slid into the reading position, figures 1 and 6.

Since Haga, like Haffenden, teaches a method to position and hold a SIM card in the reading position within a wireless terminal, it would have been obvious to one skilled in the art at the time of the invention to exchange the pips used in the card holding



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structure of Haffenden for the resilient stopper of Haga to better accept, position and hold a SIM card in a wireless terminal.

### ***Conclusion***

The prior art made of record and not relied upon but considered pertinent to applicant's disclosure includes De Larminat et al. (US 5,831,256) and Chuang et al. (US 2003/0069040).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Blane J. Jackson whose telephone number is (571) 272-7890. The examiner can normally be reached on Monday through Friday, 9:00 AM-6:00 PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on (571) 272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a


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BJJ



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